

1737



INTEROFFICE MEMO

4000 Monroe Road  
Charlotte, North Carolina 28205  
Direct Dial: 704/331-7075  
Facsimile: 704/331-7707

---

To: Examiner Fortuna, USPTO, Fax No. 703-872-9306  
From: Vicki Sgro, Paralegal, Industrial Property Department  
Date: August 20, 2003  
Subject: Signed copy of Response as originally filed on August 20, 2002

---

Pursuant to the telephone request of today by Examiner Fortuna, enclosed is a copy of the RCE and Amendment as originally filed on August 11, 2003. We have also included the Auto-Reply Facsimile Transmission acknowledgements for each paper.

OFFICIAL

FAX RECEIVED  
AUG 21 2003  
TC 1700



08/11/03 18:42:35

USPTO->

704 331 7707 Ri FAX

Page 001

TO:Auto-reply fax to 704 331 7707 COMPANY:

### Auto-Reply Facsimile Transmission



**UNITED STATES  
PATENT AND  
TRADEMARK OFFICE**

TO:

Fax Sender at 704 331 7707

Fax Information

Date Received:

Total Pages:

8/11/03 5:08:00 PM [Eastern Daylight Time]

13 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page



8/11/03 5:08:00 PM CLARIANT CORP LEGAL FAX No. 704 331 7707 P. 003

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Achim KOHLER et al. Docket: 1999CH017  
 Serial No.: 10070622 Group Art Unit: 1734  
 Filed: March 4, 2002 Examiner: Fortuna, J.  
 For: SURFACE FINISHING OF PAPER OR BOARD, AND AGENT FOR THIS PURPOSE

RESPONSE UNDER  
37 CFR, § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1734

**RESPONSE AND AMENDMENT AFTER FINAL REJECTION**

**BOX AF**  
 Commissioner of Patents  
 and Trademarks  
 Washington, D.C. 20231

Dear Sir:

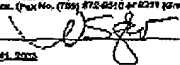
In response to the Office Action mailed June 4, 2003, please reconsider the subject application in view of the following remarks and amendments.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

**CERTIFICATE OF MAILING TRANSMISSION (37 CFR 1.8a) and 1.10**

I hereby certify that the correspondence(s), on the date shown below, being transmitted by facsimile to the U.S. Patent and Trademark Office, (fax No. (703) 835-6210 or (202) 779-7707) (37 CFR 1.10)

By:   
 Date: August 11, 2003

Received from < 704 331 7707 > at 8/11/03 5:08:00 PM [Eastern Daylight Time]

Received from < 704 331 7707 > at 8/20/03 2:27:15 PM [Eastern Daylight Time]

TRANSACTION REPORT

P.01/01

AUG-11-2003-MON 5:08 PM

FAX (TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
01	AUG-11	5:07PM	PTO 1700 AF (after final)	0:00:54	2	OK	ECM 0285

**Request For Continued Examination (RCE) Transmittal**  
 Address to: Commissioner for Patents, Box, P.O.E., Washington, DC 20231

**Application Number:** 10071022  
**Filing Date:** March 4, 2002  
**First Named Inventor:** Achin KOPALIER et al.  
**Att Unit:** T2N  
**Examiner Name:** Fontana, J.  
**Attorney Docket Number:** 18931017

**1. Submission Resubmitted Under 37 CFR 1.114**  
 a.  Previously submitted  
 b.  Correct the amendments to comply with 37 CFR 1.114 previously filed on \_\_\_\_\_  
 (Any corrected amendments) referred to above will be allowed.  
 c.  Consider the arguments in the Appeal filed in Reply Brief previously filed on \_\_\_\_\_  
 d.  Other \_\_\_\_\_

**2. Miscellaneous**  
 a.  Enclosed  
 b.  Amended/replace  
 c.  Information Disclosure Statement (IDS)  
 d.  Other \_\_\_\_\_

**3. Fees**  
 a.  The RCE fee under 37 CFR 1.176 is required by 37 CFR 1.114 when the RCE is filed.  
 The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 02-2809  
 b.  RCE fee required under 37 CFR 1.176  
 c.  Extension of time fee (for CFR 1.171)  
 d.  Other \_\_\_\_\_  
 e.  Check the amount of: \_\_\_\_\_ enclosed  
 f.  Payment by credit card (from PTO web website)  
 WARNINGS: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2018.

**Signature:** \_\_\_\_\_  
**Name (Print/Type):** \_\_\_\_\_  
**Designation:** \_\_\_\_\_  
**Organization:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_  
**State:** \_\_\_\_\_  
**Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Name (Print/Type):** \_\_\_\_\_  
**Designation:** \_\_\_\_\_  
**Organization:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_  
**State:** \_\_\_\_\_  
**Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**4. Remarks:**  
 This RCE is required by 37 CFR 1.114. The RCE fee under 37 CFR 1.176 is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 02-2809.  
 RCE fee required under 37 CFR 1.176  
 Extension of time fee (for CFR 1.171)  
 Other \_\_\_\_\_  
 Check the amount of: \_\_\_\_\_ enclosed  
 Payment by credit card (from PTO web website)  
 WARNINGS: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2018.

**5. Remarks:**  
 This RCE is required by 37 CFR 1.114. The RCE fee under 37 CFR 1.176 is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 02-2809.  
 RCE fee required under 37 CFR 1.176  
 Extension of time fee (for CFR 1.171)  
 Other \_\_\_\_\_  
 Check the amount of: \_\_\_\_\_ enclosed  
 Payment by credit card (from PTO web website)  
 WARNINGS: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2018.

AUG-20-2003-WED 02:30 PM

CLARIANT CORP LEGAL

FAX No. 704 331 7707

P. 005

**TRANSACTION REPORT**

P. 01/01

AUG-11-2003-MON 5:15 PM

FAX (TX)

#	DATE	START T.	RECEIVER	COM. TIME	PAGE	TYPE/NOTE	FILE
01	AUG-11	5:09PM	PTO 1700 AF (after final)	0:05:51	13	OK	ECM 0286

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Achim KOHLER et al.      Docket: 1999CH017  
 Serial No.:                    10/070,622                    Group Art Unit: 1731  
 Filed:                            March 4, 2002                    Examiner: Fortuna, J.  
 For: SURFACE FINISHING OF PAPER OR BOARD, AND AGENT FOR THIS  
 PURPOSE

<p><b>RESPONSE UNDER          37 C.F.R. § 1.116          EXPEDITED PROCEDURE          EXAMINING GROUP 1731</b></p>
--

**RESPONSE AND AMENDMENT AFTER FINAL REJECTION**

BOX AF  
 Commissioner of Patents  
 and Trademarks  
 Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed June 4, 2003, please reconsider the subject application in view of the following remarks and amendments.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10**

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the U.S. Patent and

Received from < 704 331 7707 > at 8/20/03 2:27:15 PM [Eastern Daylight Time]

PTO/SB/36 (01-03)

Approved for use through 04/30/2003. OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p><b>Request For Continued Examination (RCE) Transmittal</b></p> <p>Address to: Commissioner for Patents Box RCE Washington, DC 20231</p>	<b>Application Number</b>	10/070,622
	<b>Filing Date</b>	March 4, 2002
	<b>First Named Inventor</b>	Achim KOHLER et al.
	<b>Art Unit</b>	1731
	<b>Examiner Name</b>	Fortuna, J.
	<b>Attorney Docket Number</b>	1999CH017

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/ Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-2060

a.  RCE fee required under 37 CFR 1.17(e)

i.  RCE fee required under 37 CFR 1.17(e)

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Richard P. Silverman	Registration No. (Attorney/Agent)	36,277
Signature	<i>[Signature]</i>	Date	7-11-03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. 703-872-4311

Name (Print/Type)	Vicki Sord	Date	8-11-03
Signature	<i>[Signature]</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.